

BEFORE THE
STATE BOARD OF PHARMACY
STATE OF MISSOURI

MISSOURI BOARD OF PHARMACY,)	
)	
Petitioner,)	
)	
v.)	Case No. 2008-001887-F1
)	
JEFFREY GREGORY,)	
)	
Respondent .)	

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER OF DISCIPLINE

This matter appears before the Missouri Board of Pharmacy ("Board") pursuant to a Felony Conviction Complaint regarding Jeffrey Gregory, R.Ph. ("Gregory").

Findings of Fact

1. The Board set this matter for hearing and served notice of the disciplinary hearing upon Gregory.
2. Pursuant to notice and Section 338.065 RSMo, this Board held a hearing on November 17, 2010, at the Courtyard by Marriott, 3301 LeMone Industrial Boulevard, Columbia, Missouri, for the purpose of determining the appropriate disciplinary action against the pharmacist license of Gregory. Mr. Gregory appeared at the hearing without counsel. The Board was represented Loretta Schouten. See pages 5 and 6 of the transcript.
3. All Board members that were present at the disciplinary hearing who participated in the decision reflected in this Order stated that each had read the Felony Conviction Complaint prior to the disciplinary hearing. See page 6 of the transcript.

4. The Board is an agency of the state of Missouri created and established pursuant to Section 338.110, RSMo, for the purpose of executing and enforcing the provisions of Chapter 338, RSMo.

5. Gregory was licensed by the Board, pharmacist license No. 042363, which license expired on October 31, 2010. Gregory testified he intended to renew his license and allowed it to lapse because he did not realize that the license would expire on October 31, 2010. That license was current and active when he was convicted of the crime reflected in Exhibits 1-4. See pages 4, 7, 8, and 9 of the transcript

6. On or about July 7, 2010, Gregory pled guilty of one count of Adulteration of a Commercial Product, Tussionex® to dilute its quality and strength, a Class E felony in the United States District Court for the Western District of Missouri. See Exhibit 4 paragraphs 5 and 14, and pages 7-13 of the transcript.

7. Pursuant to Section 338.065, RSMo, the Board set this matter for hearing and served notice of a disciplinary hearing upon Gregory in a proper and timely fashion.

8. The Board finds that the crime to which Gregory pled guilty in a criminal case is an offense reasonably related to the qualifications, functions or duties of a pharmacist and that this felony offense has an essential element of which is fraud, dishonesty or involves moral turpitude.

Conclusions of Law

9. This Board has jurisdiction over this proceeding pursuant to Section 338.065, RSMo.

10. Respondent's license is subject to discipline by this Board pursuant to Section 338.065, RSMo.

11. Upon examination of the evidence presented, the Missouri Board of Pharmacy concludes that Gregory was found guilty in a criminal case to an offense reasonably related to the qualifications, functions or duties of a pharmacist and that this felony offense has an essential element of which is fraud, dishonesty or involves moral turpitude.

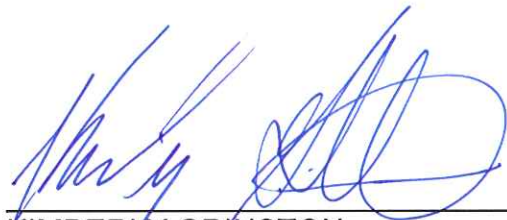
Order

IT IS HEREBY ORDERED by the Missouri Board of Pharmacy that the pharmacist license issued to Jeffrey Gregory, numbered 042363, be REVOKED. Mr. Gregory may not reapply for licensure for seven (7) years from the date of this Order. Such application for reinstatement shall comply with the provisions of Section 338.067, RSMo. Respondent shall return immediately all indicia of licensure, including the computer-generated 5" x 7" license, wallet card, and original wall-hanging certificate to the Missouri Board of Pharmacy office.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 338, 610, and 324, RSMo.

ENTERED THIS 8th DAY OF DECEMBER, 2010

(BOARD SEAL)

A handwritten signature in blue ink, appearing to read 'Kimberly Grinston', is written over a horizontal line.

KIMBERLY GRINSTON
EXECUTIVE DIRECTOR
MISSOURI BOARD OF PHARMACY